

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Panchayat Raj Engineering Department – Allegations of corruption against Sri A. Subba Rao, Assistant Engineer, PR (retired & expired), Yellamanchili – Trapped on 27-4-1994 – Acquitted by Special Court on 28.10.03 in C.C.No.33/2000 (old No.10/95) – Regularization of suspension period i.e., from 16.05.1994 to 26.07.1998 as duty – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O. Rt. No. 793

Dated:27-05-2011.
Read the following:-

1. Proceedings No.C6/12587/, dated: 09.05.1994 of ENC, Panchayat Raj, Hyderabad.
2. G.O.Ms.No.121, PR & RD (Vig.II) Department, Dated: 07.03.1995.
3. G.O.Rt.No.931, PR & RD (Vig.II) Department, dt:27.06.1998.
4. Judgment dated: 28.10.2003 of Special Judge for ACB Cases, Visakhapatnam in C.C.No.33/2000.
5. Orders dt: 28.9.2004 in O.A.No.5174/2004 filed by Sri A. Subba Rao, A.E. (Retd.).
6. Govt. Memo. No.1427/Vig.II/A2/03-3, PR & RD (Vig.II) Department, dt: 5.1.2005.
7. Orders, dt: 20.04.2010 in W.P.No.8589/2010 filed by Sri A. Raghu Ram, s/o late A. Subba Rao.
8. From the ENC, PR, Hyderabad, Lr.No. Vig. (1)/11068/2000, dt: 16.07.2010.
9. From the DG, ACB, Hyderabad , Lr.No. 65/RCT/WVP/1994-S11, dt:18.10.2010.

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ORDER:

In the reference 1st read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad has issued orders placing Sri A. Subba Rao, Assistant Engineer, Panchayat Raj (now retired and expired), Yellamanchili under suspension on the allegation of demand and acceptance of bribe from the complainant for doing official favour and in the reference 2nd read above, sanction was accorded for prosecution of Sri A. Subba Rao, Assistant Engineer, PR (retired & expired), Yellamanchili in a court of law. The suspension of individual was reviewed from time to time and in the reference 3rd read above, orders was issued reinstating Sri A. Subba Rao, Assistant Engineer, PR (now retired and expired), Yellamanchili, into service pending finalization of prosecution case.

2. In the reference 4th read above, the Special Judge Court for ACB Cases, Visakhapatnam pronounced the judgment on 28.10.2003 and acquitted Sri A. Subba Rao, Assistant Engineer, Panchayat Raj (now retired & expired), Yellamanchili,

3. In the reference 5th read above, Govt. have issued orders that the ACB has filed Crl. Appeal No.650/2004 in the Hon'ble High Court of Andhra Pradesh against the acquittal orders dt: 28.10.2003 in new CC No.33/2000 (old CC No.10/95) of the Spl. Judge for ACB Cases, Visakhapatnam, in the trap case of Sri A. Subba Rao, A.E. (Retd.). The Case is pending before the Hon'ble High Court of Andhra Pradesh and the request of Sri A. Subba Rao, A.E. (now retired), Yellamanchili, Visakhapatnam district for treating his suspension period as duty will be examined after disposal of the Crl. Appeal Pending before Hon'ble High Court of Andhra Pradesh.

4. In the reference 7th read above, the Hon'ble High Court of Andhra Pradesh, has directed the respondents to pass appropriate order on the representations dt:11.11.2003 and 14.08.2004 of Sri A. Subba Rao, A.E. (Retd.)

5. In the reference 8th read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad has forwarded a representation submitted by Sri A. Raghuram son of Sri A. Subba Rao, AE, PR (now retired & expired), Yellamanchili, for regularizing the period of suspension from 16.05.1994 to 26.07.1998 as duty. Sri A. Raghuram son of Sri A. Subba Rao, AE, PR (expired), Yellamanchili, in his representation Dt. 11.11.2003, has requested for regularization of his father's suspension period i.e. from 16.05.1994 to 26.07.1998 as duty, as Hon'ble Spl. Judge Court for ACB Cases,

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Visakhapatnam in C.C.No.33/2000, dt: 28.10.2003 has pronounced the judgment and found him 'not guilty' for the charges leveled against him.

6. In the reference 9th read above, the DG, ACB, Hyderabad, while enclosing the order dt:22.10.2008 in CrI. Appeal No.650/2004 on the file of the Hon'ble High Court has stated that, the Standing Counsel for the Bureau verified with the Registry of Hon'ble High Court about the present stage of the CrI. Appeal No.650/2004 and found that the Counsel for respondent made a mention in the Hon'ble High Court on 22.10.2008 about the death of the Respondent/Accused Officer, duly producing the death certificate of the Respondent/Accused Officer. After hearing the Counsel for respondent and after perusing the Death Certificate of the Respondent/Accused Officer the Hon'ble High Court was pleased to abate the Appeal against the Respondent/Accused Officer due to death and dismissed the Appeal accordingly, on 22.10.2008.

7. Government after careful examination of the matter, have decided and accordingly, hereby order that the period of suspension from 16.05.1994 to 26.07.1998 of Sri A. Subba Rao, Assistant Engineer, Panchayat Raj (retired & expired), Yellamanchili, shall be treated as duty for all purposes under FR-54 (B)(2). Where by the remuneration permissible during the suspension period being regularized now will be limited to the subsistence allowance.

8. This order issues with the concurrence of Finance (FR.II) Department vide U.O.No. 2587/54/FR.II/11, dt:3.3.2011.

9. The Engineer-in-Chief, Panchayat Raj, Hyderabad, shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
Sri A. Raghu Ram, S/o late A. Subba Rao, A.E(Retd.&Expired) ,
through the Engineer-in- Chief, Pachayat Raj , Hyderabad.
The Engineer-in- Chief, Pachayat Raj, Hyderabad.
Copy to:
The Accountant General, Andhra Pradesh, Hyderabad.

//FORWARDED BY :: ORDER//

SECTION OFFICER